



PATENT  
ATTY. DOCKET NO.: INVIT1120-3

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Fernandez, *et al.* Art Unit: 1639  
Application No.: 09/990,091 Examiner T. Wessendorf  
Filed: November 21, 2001  
Title: METHODS FOR PRODUCING LIBRARIES OF EXPRESSIBLE  
GENE SEQUENCES

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Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

TECH CENTER 12/10/2003

**STATEMENT UNDER 37 C.F.R. §§ 1.821(f) and (g);**  
**37 C.F.R. §§ 1.825(a) and (b)**

Sir:

I hereby state, as required by 37 C.F.R. §§ 1.821(f) and (g), that the information recorded in computer readable form is identical to the written sequence listing and does not include new matter.

I hereby state that the submission, filed in accordance with 37 C.F.R. § 1.825(a), is supported in the application, as shown in the enclosed Amendment, and does not include new matter.

CERTIFICATION UNDER 37 CFR §1.8	
I hereby certify that the documents referred to as enclosed herein are being deposited with the United States Postal Service as first class mail on this date, <u>December 8, 2003</u> , in an envelope addressed to: Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450.	
Margaret M. Hasson	
Name of Person Mailing Paper	
Signature	Date
	12/8/03

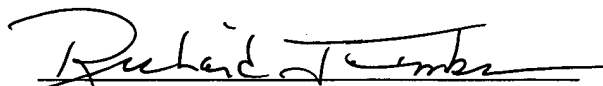
In re Application of:  
Fernandez, *et al.*  
Application No.: 09/990,091  
Filed: November 21, 2001  
Page 2

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ATTY. DOCKET NO.: INVIT1120-3

I hereby state that the substitute copy of the computer readable form, submitted in accordance with 37 C.F.R. § 1.825(b), is the same as the amended Sequence Listing.

Respectfully submitted,

Date: December 8, 2003

  
Richard J. Imbra  
Reg. No. 37,643  
Telephone: (858) 677-1496  
Facsimile: (858) 677-1465

GRAY CARY WARE & FREIDENRICH LLP  
4365 Executive Drive, Suite 1100  
San Diego, CA 92121-2133

**Customer Number: 28213**



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Applicants: Fernandez, *et al.* Art Unit: 1639  
Application No.: 09/990,091 Examiner T. Wessendorf  
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Title: METHODS FOR PRODUCING LIBRARIES OF EXPRESSIBLE  
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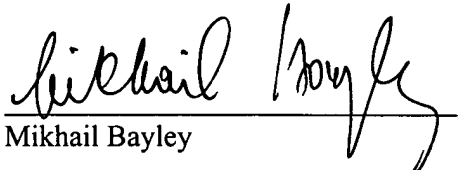
**VERIFIED STATEMENT UNDER 37 C.F.R. § 1.821(f)**

Sir:

I, Mikhail Bayley, declare that I personally prepared the paper and the computer-readable copies of the Sequence Listing filed herewith in the above-entitled case and that the content of both is the same.

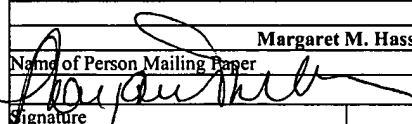
I further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of The United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Date: November 19, 2003

  
Mikhail Bayley

GRAY CARY WARE & FREIDENRICH LLP  
4365 Executive Drive, Suite 1100  
San Diego, CA 92121-2133

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CERTIFICATION UNDER 37 CFR §1.8	
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Margaret M. Hasson	
Name of Person Mailing Paper	
 Signature	12/8/03 Date



1639  
PATENT

Attorney Docket No.: INVIT1120-3

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Fernandez et al. Art Unit: 1639  
Application No.: 09/990,091 Examiner: T. Wessendorf  
Filed: November 21, 2001 Conf. No. 1288  
Title: METHODS FOR PRODUCING LIBRARIES OF EXPRESSIBLE GENE  
SEQUENCES

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

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TECH CENTER 1639/2000

TRANSMITTAL SHEET

Sir:

Transmitted herewith for the above-identified application please find:

1. Response to the Office Action mailed May 1, 2003 and Supplemental Office Action mailed July 7, 2003 (20 pages), including Exhibit "A" (4 pages);
2. Petition for a Two (2) Month Extension of Time (2 pages);
3. Check No. 549622 in the amount of \$420.00;
4. Declaration for Patent Application (4 pages, signed by John A. Heyman);
5. Redlined copy of application, including 92 pages of specification, 5 pages of claims, and 1 page of abstract (98 total pages);
6. Clean copy of application, including 86 pages of specification, 5 pages of claims, and 1 page of abstract (92 total pages);
7. Statement Under 27 C.F.R. §§1.821(f) and (g); 37 C.F.R. §§1.825(a) and (b) (2 pages);
8. Verified Statement Under 37 C.F.R. §1.821(f) (1 page);
9. Two (2) pages of sequence listing;

CERTIFICATION UNDER 37 CFR §1.8

I hereby certify that the documents referred to as enclosed herein are being deposited with the United States Postal Service as first class mail on December 8, 2003, in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Margaret M. Hasson

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Attorney Docket No. INVIT1120-3

In re Application of:

Fernandez et al.

Application No.: 09/990,091

Filed: November 21, 2001

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10. One diskette containing sequence listing; and

11. Return Receipt Postcard.

Applicant(s) claim **LARGE ENTITY status** in the above-identified application.

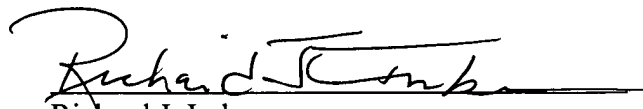
The Fee for this Response is calculated as follows:

For	Claims Remaining After Amendment	Highest Number Previously Paid For	Extra Claims	Small Entity Rate	Large Entity Rate	Calculations
Total Claims	11	38	0	x \$09	x \$18	\$ .00
Independent Claims	1	4	0	x \$43	x \$86	\$ .00
Multiple Claims	-	-		\$145	\$290	\$ .00
Basic Filing Fee				\$385	\$770	\$ .00
					TOTAL FEE	\$ .00

Enclosed is Check No. 549622 in the total amount of \$420.00; which consists of the fee for a Two (2) Month extension of time (\$420.00). The Commissioner is hereby authorized to charge any other fees associated with the filing submitted herewith, or credit any overpayments to Deposit Account No. 50-1355. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

Date: December 8, 2003



Richard J. Imbra

Reg. No. 37,643

Telephone: (858) 677-1496

Facsimile: (858) 677-1465

**USPTO Customer Number 28213**

**GRAY CARY WARE & FREIDENRICH LLP**

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